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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,498	06/23/2003	Vladimir D. Fedorov	13768.370	2191

47973 7590 05/17/2006

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EXAMINER

MORRISON, JAY A

ART UNIT	PAPER NUMBER
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2168

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/602,498

Applicant(s)

FEDOROV, VLADIMIR D.

Examiner

Jay A. Morrison

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 24, 42, 43 and 45-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 24, 42, 43 and 45-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicants arguments filed on 2/16/2006. Claims 1-10,24,42-43 and 45-51 are pending for examination.

Amendments to the specification and drawings have been acknowledged and accepted.

Claim Objections

2. Claims 1,42,43 is objected to because of the following informalities:

As per claim 1, line 5: 'over time in order to' should be 'over time to'.

As per claim 1, line 5: 'how the data may be' should be 'how the data is'.

As per claim 1, line 8: 'will be capable of operating' should be 'will be configured to operate'.

As per claim 1, line 17, 'package can be later' should be 'package will then be later'.

As per claim 1, line 31: 'thereafter be capable of' should be 'thereafter be configured to'.

As per claim 24, line 5: 'over time in order to' should be 'over time to'.

As per claim 24, line 5: 'how the data may be' should be 'how the data is'.

As per claim 24, line 9: 'application will be capable of' should be 'application will be configured to'.

As per claim 24, line 19, 'the package can be' should be 'the package will then be'.

As per claim 24, line 33: 'thereafter capable of operating' should be 'thereafter configured to operate'.

As per claim 42, line 5: 'over time in order to' should be 'over time to'.

As per claim 42, line 5: 'how the data may be' should be 'how the data is'.

As per claim 42, line 8: 'will be capable of' should be 'will be configured to'.

As per claim 42, line 24, 'the package can be' should be 'the package will then be'.

As per claim 42, line 31: 'a log store used for storing' should be 'a log store used to store'.

As per claim 42, line 32: 'UI log' is should be 'user interface (UI) log'.

As per claim 42, line 33: 'to for storing a browser for displaying' should be 'to store a browser to display'.

As per claim 42, line 34: 'configuration changes may be' should be 'configuration changes are'.

As per claim 42, line 35: 'changes of interest may be' should be 'changes of interest are'.

As per claim 42, line 40: 'will be capable of operating' should be 'will be configured to operate'.

As per claim 42, line 47: 'thereafter be capable of operating' should be 'thereafter be configured to operate'.

As per claim 43: dependency on claim 52 where claim 52 does not exist. For purposes of examination, and since the claim was dependant on alternative claims (i.e. '42 or 52'), the Office will consider the claim as dependant on claim 42 since claim 52 is not present.

As per claim 51, line 4: 'over time in order to' should be 'over time to'.

As per claim 51, line 4: 'how the data may be' should be 'how the data is'.

As per claim 51, line 8: 'will be capable of' should be 'will be configured to'.

As per claim 51, line 17, 'the package can be' should be 'the package will then be'.

As per claim 51, line 25: 'log store used for storing' should be 'log store used to store'.

As per claim 51, line 26: 'UI log' is should be 'user interface (UI) log'.

As per claim 51, line 26: 'to for storing a browser for displaying' should be 'to store a browser to display'.

As per claim 51, line 27: 'configuration changes may be' should be 'configuration changes are'.

As per claim 51, line 28: 'changes of interest may be' should be 'changes of interest are'.

As per claim 51, line 33: 'will be capable of operating' should be 'will be configured to operate'.

As per claim 51, line 40: 'thereafter be capable of operating' should be 'thereafter configured to operate'.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-10,24,42,51 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1,42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The preambles of the respective claims describe a computer system and a method with no implementation of the method on the computer system, which should be made clear.

Claims 2-10,24,51 disclose computer readable media, which are described in the specification as including wireless signals that carry computer-executable instructions. Although one may consider these claims as either a media in an environment of a computer system or a combination of a media and computer system, it is the former interpretation that examiner believes is the intent of the applicant. However, wireless signals are not tangible, and cannot tangibly embody a computer program or process since a computer cannot understand/realize (i.e. execute) the computer program or process when embodied on the data signal. Computer program or processes are only realized within the computer when stored in a memory or storage element (such as RAM or ROM). Therefore, a data signal does not meet the "useful, concrete, and

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tangible" requirement as set forth in *State Street*, 149 F.3d at 1373, 47 USPQ2d at 1601-02, and hence claims 24-41 are non statutory under 35 U.S.C. 101. Amending the claims so that "tangible" precedes "computer readable medium" when there is no "tangible computer readable medium" disclosed in the description does not solve the previous rejection. These rejections can be overcome by changing the claimed computer readable medium to computer readable storage.

Claim 24 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Everything following the 'for' in line 6 is optionally recited, making the claim non-statutory.

Claim 51 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Everything following the 'for' in line 6 is optionally recited, making the claim non-statutory.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1,3,10,24,42,45,51 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 1 recites the limitation "it" in line 8. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Claim 1 recites the limitation "it" in line 21. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the stored package".

Claim 1 recites the limitation "it" in line 23. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Claim 1 recites the limitation "those" in line 30. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "those" to be "the configuration settings".

Claim 1 recites the limitation "it" in line 31. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Claim 3 recites the limitation "the routine" in line 1. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "the" to be "the software application".

Claim 10 recites the limitation "those" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "those" to be "the configuration settings".

Claim 24 recites the limitation "it" in line 10. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Claim 24 recites the limitation "it" in line 23. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the stored package".

Claim 24 recites the limitation "it" in line 25. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Claim 24 recites the limitation "those" in line 32. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "those" to be "the configuration settings".

Claim 24 recites the limitation "it" in line 33. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Claim 42 recites the limitation "it" in line 8. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Claim 42 recites the limitation "it" in line 38. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the stored package".

Claim 42 recites the limitation "it" in line 41. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Claim 42 recites the limitation "those" in line 46. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "those" to be "the configuration settings".

Claim 42 recites the limitation "it" in line 48. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Claims 42 and 51, respectively, recite the "a UI log used to for storing a browser", which cannot be interpreted as claimed. For purposes of examination the Office will assume the applicant meant "a user interface (UI) to browse the stored log to display the information"

Claim 45 recites the header portion, which is data about the package, is enabled to call a reversion routine; it is not possible for data about something to actually do something. Header data is not operative, although it can contain pointers to functions or other operations. For purposes of examination, the Office assumes "call" to be "pointer".

Claim 51 recites the limitation "it" in line 9. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Claim 51 recites the limitation "it" in line 31. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the stored package".

Claim 51 recites the limitation "it" in line 34. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Claim 51 recites the limitation "those" in line 39. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "those" to be "the configuration settings".

Claim 51 recites the limitation "it" in line 41. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will assume "it" to be "the software application".

Note: the art rejections are made given the best understanding of the Office given claims, which are difficult to interpret because of the abundance of assumptions the Office had to make due to their drafting.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-4,10,24,42,51 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Meno et al. ('De Meno' hereinafter) (Patent Number 6,721,767) in view of Traversat et al. ('Traversat' hereinafter) (Patent Number 6,161,125).

As per claim 1, De Meno teaches

"based upon a request from a user or a selection from the software application, generating changes to the software application's ... : updating a configuration store by storing therein the changed application ... of the software application to maintain a history of one or more ... changes for the software application" (column 2, lines 1-10; column 3, line 50 through column 4, line 18);

"retrieving the stored package when it is desired to revert the ... of the software application back to a state that existed prior to the changes in the ... so that the software application will be capable of operating on data in the same manner as it did with the previous ... that were used by the application software" (column 5, line 59 through column 6, line 9);

"and using the contents of the package and the changes to the ... of the software application uniquely identified by the package to revert the ... back to those that existed prior to the changes identified by the package so the software application will thereafter be capable of operating on data in the same manner as it did prior to such changes" (application specific rollback software, column 4, lines 1-18).

De Meno does not explicitly indicate “generating a package that uniquely identifies the contents of the package and the changes to the software application's configuration settings so that the package can be later recalled and used when reverting the configuration settings of the software application back to a state that existed prior to the changes in the configuration settings”.

However, Traversat discloses “generating a package that uniquely identifies the contents of the package and the changes to the software application's configuration settings so that the package can be later recalled and used when reverting the configuration settings of the software application back to a state that existed prior to the changes in the configuration settings” (column 12, lines 1-15);

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps “generating a package that uniquely identifies the contents of the package and the changes to the software application's configuration settings so that the package can be later recalled and used when reverting the configuration settings of the software application back to a state that existed prior to the changes in the configuration settings” would have given those skilled in the art the tools to improve the invention by allow users who must use different client computers at different locations to maintain personal preferences to the application and configuration data. This gives the user the advantage of having their configuration preferences saved for future use on many different computers.

De Meno does not explicitly indicate “storing the package in a software application configuration log”.

However, Traversat discloses “storing the package in a software application configuration log” (column 6, lines 32-51);

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps “storing the package in a software application configuration log” would have given those skilled in the art the tools to improve the invention by allowing administrators to manage configurations on a server. This gives the user the advantage of having a centralized repository for all saved configurations.

De Meno does not disclose “configuration settings”.

However, Traversat discloses “configuration settings” (configuration information, column 6, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps “the configuration settings” would have given those skilled in the art the tools to improve the invention by having a system which supports distributed management of client configurations. This gives the user the advantage of being able to have the ability to have a backup source for configuration settings.

As per claim 2, De Meno teaches

“using the contents of the package to revert ... comprises calling a reversion routine and passing at least a portion of the contents of the package to the routine” (application specific rollback software, column 4, lines 1-18)

“and wherein the routine displays a link that gives user instructions on procedural steps to perform in order to revert to the previous configuration setting” (help button, column 6, lines 1-9).

De Meno does not explicitly indicate “the configuration settings”.

However, Traversat discloses “the configuration settings” (configuration information, column 6, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps “the configuration settings” would have given those skilled in the art the tools to improve the invention by having a system which supports distributed management of client configurations. This gives the user the advantage of being able to have the ability to have a backup source for configuration settings.

As per claim 3, De Meno teaches

“the routine automatically reverts to the application's previous configuration setting” (information retrieval processor, column 4, lines 1-26).

As per claim 4, De Meno teaches

“the reversion which occurs when using the contents of the package to revert ... back to the application's previous ... is one of an undo, redo or rollback operation” (column 4, lines 1-18).

De Meno does not explicitly indicate “the configuration settings ... configuration setting”.

However Traversat discloses “the configuration settings ... configuration setting” (configuration information, column 6, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps “the configuration settings ... configuration setting” would have given those skilled in the art the tools to improve the invention by having a system which supports distributed management of client configurations. This gives the user the advantage of being able to have the ability to have a backup source for configuration settings.

As per claim 10, De Meno teaches

“using the contents of the package to revert ... back to those that existed prior to the changes identified by the package comprises displaying a representation of the ... within one or more user interfaces for viewing and selections and wherein at least one of the one or more user interfaces is a browser” (column 5, line 39 through column 6, line 9).

De Meno does not explicitly indicate “the configuration settings ... application configuration information”.

However, Traversat discloses “the configuration settings ... application configuration information” (configuration information, column 6, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps “the configuration settings ... application configuration information” would have given those skilled in the art the tools to improve the invention by having a system which supports distributed management of client configurations. This gives the user the advantage of being able to have the ability to have a backup source for configuration settings.

As per claim 24, De Meno teaches

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected.

As per claim 42, De Meno teaches

“based upon a request from a user or a selection from the software application, generating changes to the software application's” (column 2, lines 1-10);

“updating a configuration store by storing therein the changed application ... of the software application to maintain a history of one or more ... changes for the software application” (column 3, lines 50-67);

“generating a package that uniquely identifies the contents of the package and the changes to the software application's configuration settings so that the package can be later recalled and used when reverting the configuration settings of the software application back to a state that existed prior to the changes in the configuration settings, the package comprising, a header portion including at least one of a title of the changes

made a name of the application software, the date and the time of the configuration changes, and an application payload portion containing: data used in assisting in reverting the software application to its previous configuration setting prior to the changes" (column 3, lines 50-67; column 5, line 40 through column 6, line 9; note: the filename is title, date and time is stored with file, and all are included in the header of the file);

"storing the package in a software application configuration log which comprises, a log store used for storing the package" (index, column 3, lines 50-67) ", and a UI log used to for storing a browser for displaying the information contained in the header portion of the package so that a history of configuration changes may be viewed and changes of interest may be selected to use in reverting the software application to at least some of the prior ... that existed prior to the changes reflected in the package" (column 5, line 39 through column 6, line 9);

"retrieving the stored package when it is desired to revert at least some of the ... of the software application back to a state that existed prior to the changes in the configuration settings so that the software application will be capable of operating on data in the same manner as it did with the at least some previous ... that were used by the application software" (column 4, lines 1-18);

"viewing the header portion of the package and selecting from the history of configuration changes therein at least some changes to be reverted" (column 5, lines 39 through column 6, line 9);

“and using the contents of the package and the application payload portion thereof to revert at least the selected changes of the ... back to those that existed prior to the changes so the software application will thereafter be capable of operating on data in the same manner as it did prior to such changes” (column 4, lines 1-18).

De Meno does not disclose “configuration settings”.

However, Traversat discloses “configuration settings” (configuration information, column 6, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps “the configuration settings” would have given those skilled in the art the tools to improve the invention by having a system which supports distributed management of client configurations. This gives the user the advantage of being able to have the ability to have a backup source for configuration settings.

As per claim 51,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 42 and is similarly rejected.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 5-9,43,45-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Meno et al. ('De Meno' hereinafter) (Patent Number 6,721,767) in view of Traversat et al. ('Traversat' hereinafter) (Patent Number 6,161,125), and further in view of Hammack et al. ('Hammack' hereinafter), US Patent 6,449,624.

With respect to claim 5,

De Meno teaches "that is passed to the routine for reverting to the application's previous configuration" (application specific rollback software, column 4, lines 1-18).

De Meno does not explicitly indicate "the application configuration information is XML data comprising a header portion and an application portion, wherein the header portion comprises data used in the displaying a representation of the application configuration information, and wherein the application portion comprises data."

However, Hammack teaches "the application configuration information is XML data comprising a header portion and an application portion, wherein the header portion comprises data used in the displaying a representation of the application configuration information, and wherein the application portion comprises data" (XML configuration version data, column 21, lines 33-57, and column 22, lines 36-58).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps "the application configuration information is XML data comprising a header portion and an application

portion, wherein the header portion comprises data used in the displaying a representation of the application configuration information, and wherein the application portion comprises data” would have given those skilled in the art the tools to improve the invention by allowing information to be described using a standardized markup language. This gives the user the advantage of being able to have the ability to quickly and easily distinguish, segment, and/or process the data.

With respect to claim 6,

De Meno does not explicitly disclose “the header data used in the displaying a representation of the application configuration information is selected from at least one of a title, application name, date or time.”

However, Hammack teaches “the header data used in the displaying a representation of the application configuration information is selected from at least one of a title, application name, date or time” (version control data including date and time, column 23, line 64 through column 24, line 23, and figure 16).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps “the header data used in the displaying a representation of the application configuration information is selected from at least one of a title, application name, date or time” would have given those skilled in the art the tools to improve the invention by allowing important information insured to be included. This gives the user the advantage of being able to

have the ability to have minimum information available so that required processing can be accomplished.

With respect to claim 7,

De Meno does not explicitly indicate “the header portion further comprises the reversion routine called.”

However, Hammack teaches “the header portion further comprises the reversion routine called” (XML containing initial or root module, column 22, lines 16-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps “the header portion further comprises the reversion routine called” would have given those skilled in the art the tools to improve the invention by allowing the appropriate reversion routine to be called. This gives the user the advantage of being able to have the ability to have one of a multitude of reversion routines to be called.

With respect to claim 8,

De Meno does not explicitly indicate “the header portion further comprises a pointer to the reversion routine called.”

However, Hammack teaches “the header portion further comprises a pointer to the reversion routine called” (linked function blocks, column 6, lines 51-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps “the header

portion further comprises a pointer to the reversion routine called” would have given those skilled in the art the tools to improve the invention by allowing the appropriate reversion routine to be called. This gives the user the advantage of being able to have the ability to have one of a multitude of reversion routines to be called.

With respect to claim 9,

De Meno does not explicitly indicate “routine calls one or more other routines.”

However, Hammack teaches “routine calls one or more other routines” (module element optionally containing element nodes that contain additional elements to extract configuration information, column 22, lines 16-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps “the header portion further comprises the reversion routine called” would have given those skilled in the art the tools to improve the invention by allowing the configuration routine to call any number of reversion routines instead of just one. This gives the user the advantage of being able to have the ability to not be limited to executing a single task in order to rebuild configuration information.

As per claim 43,

De Meno does not explicitly indicate “the package of information is XML data”.

However, Hammack discloses “the package of information is XML data” (XML document, column 21, lines 33-65, and column 22, lines 36-58).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps “the application configuration information is XML data comprising a header portion and an application portion, wherein the header portion comprises data used in the displaying a representation of the application configuration information, and wherein the application portion comprises data” would have given those skilled in the art the tools to improve the invention by allowing information to be described using a standardized markup language. This gives the user the advantage of being able to have the ability to quickly and easily distinguish, segment, and/or process the data.

As per claim 45,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 8 and is similarly rejected.

As per claim 46,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 8 and is similarly rejected.

As per claim 47,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 9 and is similarly rejected.

As per claim 48, De Meno teaches

“the reversion routine displays a link that gives user instructions on procedural steps to perform in order to revert to the previous configuration setting” (column 6, lines 1-9).

As per claim 49, De Meno teaches

“the reversion routine automatically reverts to the application's previous configuration setting” (column 4, lines 1-26).

As per claim 50,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 4 and is similarly rejected.

Response to Arguments

11. Applicant's arguments with respect to claims 1,24,42 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record, listed on form PTO-892, and not relied upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay A. Morrison whose telephone number is (571) 272-7112. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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